
(2013) 01 KL CK 0083

In the High Court Of Kerala

Case No : W.P. (C) No. 29413 of 2012 (B)

Cochin Devaswom Board

APPELLANT

Vs

Sboa Public School, The Kerala State Electricity Board, The
Addl. District Magistrate and The Temple Advisory Committee

RESPONDENT

Date of Decision : 09-01-2013

Acts Referred:

Citation : (2013) 01 KL CK 0083

Hon'ble Judges : V. Chitambaresh, J

Bench : Single Bench

Judgement

V. Chitambaresh, J.—All that the petitioner prays is an opportunity to place its objections before the Additional District Magistrate while granting permission to draw underground electricity cables through the property. The property is Chittur Sree Krishnaswamy Temple and the adjacent roads belonging to the petitioner - Cochin Devaswom Board. The Additional District Magistrate has by Ext. P3 order granted permission to draw underground cables through the side of the temple building. The petitioner as well as the additional fourth respondent points out that an Oottupura is proposed to be constructed in the temple and the drainage of the Oottupura may have to be constructed along the route where the underground cables are proposed to be laid. It is also stated that the underground cables may pose a danger to fire works and other folk arts performed in the temple during festival. The beneficiary is a public school which wants an additional load to construct a lift and to energise computers in the classes. The petitioner has not been given sufficient opportunity to suggest any other alternative route available. This is evident from Ext. P4 letter submitted by the Devaswom Officer two days after the order was passed by the Additional District Magistrate. I am inclined to remit the matter so that all the parties could be heard and fresh orders passed as regards drawing of electricity line.

2. I set aside Ext. P3 order and direct the Additional District Magistrate, Ernakulam to reconsider the issue within a period of one month. The petitioner

as well as respondents 1, 2 and 4 in the writ petition shall be put on notice and heard in the exercise.

The Writ Petition is disposed of as above.